

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK**

In re:

THE DIOCESE OF BUFFALO, N.Y.,

Debtor.

)
) Chapter 11 Case
)

) Case No. 20-10322
)
)

**JOINT NOTICE OF HEARING TO
CONSIDER PROFESSIONAL FEE APPLICATIONS**

PLEASE TAKE NOTICE, that each of (i) Bond, Schoeneck & King, PLLC, counsel for The Diocese of Buffalo, N.Y., (the “Diocese”); (ii) Blank Rome, LLP, special insurance counsel for the Diocese; (iii) The Tucker Group, LLC, communications consultant for the Diocese; (iv) Connors, LLP, special counsel for the Diocese; (v) Chelus, Herdzik, Speyer & Monte PC, special counsel for the Diocese; (vi) Insurance Archaeology Group, Insurance Archaeologist for the Diocese; (vii) Jones Day, special counsel for the Diocese; (viii) Hodgson Russ, LLP, special counsel for the Diocese; and (ix) Gibson, McAskill & Crosby, LLP, special counsel for the Diocese, have filed applications (each, an “Application”) for interim allowance and payment of professional fees and expenses incurred in the above-captioned case. The amounts of fees and expenses requested by the foregoing professionals on an interim basis pursuant to the Applications are as follows:

Applicant	Fees Requested	Expenses Requested	Total	Application Period
Bond, Schoeneck & King, PLLC <i>Counsel for the Diocese</i>	\$513,845.50	\$19,724.52	\$533,570.02	2/1/23 – 7/31/23
Blank Rome, LLP <i>Special Counsel for the Diocese</i>	\$237,821.84	\$7,553.49	\$245,375.33	2/1/23 – 7/31/23
The Tucker Group, LLC <i>Communications Consultants for Diocese</i>	\$60,000.00	\$0.00	\$60,000.00	2/1/23 – 7/31/23
Connors, LLP <i>Special Counsel for the Diocese</i>	\$119,365.00	\$4,825.47	\$124,190.47	2/1/23 – 7/31/23
Chelus, Herdzik, Speyer & Monte PC <i>Special Counsel for the Diocese</i>	\$16,038.50	\$1,536.90	\$17,575.40	2/1/23 – 7/31/23
Insurance Archaeology Group <i>Insurance Archaeologist for the Diocese</i>	\$13,575.00	\$12.70	\$13,587.70	2/1/23 – 7/31/23
Jones Day <i>Special Counsel for the Diocese</i>	\$98,550.00	\$366.14	\$98,916.14	2/1/23 – 7/31/23
Hodgson Russ LLP <i>Special Counsel for the Diocese</i>	\$4,719.50	\$254.47	\$4,973.97	2/1/23 – 7/31/23
Gibson, McAskill & Crosby, LLP <i>Special Counsel for the Diocese</i>	\$1,870.00	\$36.05	\$1,906.05	8/1/22 – 7/31/23

PLEASE TAKE FURTHER NOTICE, that a hearing to consider the Applications will be held before the Honorable Carl L. Bucki, Chief United States Bankruptcy Judge for the Western District of New York, on the **7th day of December, 2023 at 2:30 p.m.**, or as soon thereafter as counsel can be heard.

PLEASE TAKE FURTHER NOTICE, that parties can choose to appear either (i) in person at the Robert H. Jackson U.S. Courthouse, 2 Niagara Square, Buffalo, New York or (ii) telephonically (call in 1-571-353-2301, Courtroom ID 483077448#, and security pin 9999#).

PLEASE TAKE FURTHER NOTICE, that responses in opposition to the relief requested in the Applications, if any, must be served upon (i) counsel for the Diocese, Bond, Schoeneck & King, PLLC, One Lincoln Center, Syracuse, New York 13202 (Attn: Stephen A. Donato, Charles J. Sullivan and Grayson T. Walter); (ii) the Office of the United States Trustee for the Western New York, 300 Pearl Street, Suite 401, Buffalo, New York 14202 (Attn: Joseph Allen); and (iii) the

respective applicant(s) at the address(es) set forth on the attached schedule, in accordance with the Local Rules of Bankruptcy Procedure for the Western District of New York.

Dated: October 30, 2023
Syracuse, New York

BOND, SCHOENECK & KING, PLLC

By: /s/ Stephen A. Donato
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Charles J. Sullivan, Esq.
Grayson T. Walter, Esq.
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SCHEDULE OF APPLICANTS

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Rutherford, New Jersey 07070

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Attn: James C. Thoman
140 Pearl Street, Suite 100
Buffalo, New York 14202

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

In re:

The Diocese of Buffalo, N.Y.

Debtor.

Case No. 20-10322 (CLB)

Chapter 11

**SIXTH INTERIM APPLICATION OF JONES DAY FOR COMPENSATION FOR
SERVICES RENDERED AND REIMBURSEMENT OF EXPENSES AS SPECIAL
COUNSEL TO THE DIOCESE OF BUFFALO, N.Y. FOR THE PERIOD
FEBRUARY 1, 2023 THROUGH JULY 31, 2023**

TO: THE HONORABLE CARL L. BUCKI
CHIEF UNITED STATES BANKRUPTCY JUDGE

Jones Day hereby submits its sixth interim application (this "Application") for compensation for services rendered and reimbursement of expenses incurred on behalf of the Diocese of Buffalo, New York (the "Diocese") from February 1, 2023 through July 31, 2023 (the "Sixth Interim Compensation Period"), and respectfully states as follows:

1. Jones Day is a general partnership engaged in the practice of law with offices in major commercial centers across the United States and around the world. The undersigned is a partner of Jones Day and an attorney admitted and in good standing to practice in the State of Pennsylvania, the U.S. District Court for the Western District of Pennsylvania, and the U.S. Courts of Appeals for the Third and Ninth Circuits. The undersigned has been admitted to practice *pro hac vice* before this Court in the above-captioned case.¹

2. Jones Day submits this Application for allowance of interim compensation in the amount of \$98,550.00 and for reimbursement of actual and necessary costs and expenses in the

¹ See this Court's *Order Granting Ex Parte Motion of John D. Goetz for Admission to Practice, Pro Hac Vice* [Docket No. 941].

amount of \$366.14 incurred by Jones Day in the course of its representation of the Diocese during the Sixth Interim Compensation Period.

BACKGROUND

3. On February 28, 2020 (the "Petition Date"), the Diocese filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code (11 U.S.C. § 101 et seq., the "Bankruptcy Code") with the United States Bankruptcy Court for the Western District of New York (the "Court"), commencing the Diocese's chapter 11 case (this "Chapter 11 Case"). The Diocese continues to operate its business and manage its properties as a debtor-in-possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

4. On March 12, 2020, the Office of the United States Trustee (the "UST") filed a notice of the appointment of an official committee of unsecured creditors pursuant to section 1102 of the Bankruptcy Code [Docket No. 92] (the "Committee"). No other official committees have been appointed or designated and, as of the date of this Application, no trustee or examiner has been appointed in this Chapter 11 Case.

5. Information regarding the Diocese's history, business operations, operational structure and the events leading up to the Chapter 11 Case can be found in the *Affidavit of Rev. Peter J. Karalus Regarding Structure and Pre-Filing History of the Diocese of Buffalo and in Support of the Chapter 11 Petition and First Day Pleadings* [Docket No. 8], and the *Affidavit of Charles Mendolera Regarding the Diocese's Assets and Operations and in Support of the Chapter 11 Petition and First Day Pleadings* [Docket No. 7], each of which was filed on the Petition Date and is incorporated herein by reference.

6. On June 4, 2020, this Court entered its *Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Professionals and Members of Official Committees* [Docket No. 362] (the "Interim Compensation Order").

7. On December 22, 2020, the Diocese filed its *Application for an Order Authorizing the Employment and Retention of Jones Day as Special Counsel to the Diocese* [Docket No. 785] (the "Retention Application"), seeking authorization to employ and retain Jones Day as special counsel, *nunc pro tunc*, to December 1, 2020. On February 23, 2021, this Court entered its *Decision & Order* [Docket No. 905] granting the Retention Application.

8. On June 15, 2021, the Court entered an order approving Jones Day's first interim fee application and granted Jones Day an award of fees in the amount of \$412,280.00 and expenses in the amount of \$713.98, for a total award of \$412,993.98 (the "First Fee Award"). As part of the First Fee Award, the Court required a ten percent (10%) holdback totaling \$41,228.00, which remains unpaid. The remainder of the First Fee Award was satisfied from the Diocese's estate.

9. On December 10, 2021, the Court entered an order approving Jones Day's second interim fee application and granted Jones Day an award of fees in the amount of \$384,394.00 and expenses in the amount of \$2,154.37, for a total award of \$386,548.37 (the "Second Fee Award"). As part of the Second Fee Award, the Court required a ten percent (10%) holdback totaling \$38,439.40, which remains unpaid. The remainder of the Second Fee Award was satisfied from the Diocese's estate.

10. On December 19, 2022, the Court entered an order approving Jones Day's third interim fee application and granted Jones Day an award of fees in the amount of \$495,869.00 and expenses in the amount of \$8,251.23, for a total award of \$504,120.23 (the "Third Fee Award").

11. On December 19, 2022, the Court entered an order approving Jones Day's fourth interim fee application and granted Jones Day an award of fees in the amount of \$519,636.00 and expenses in the amount of \$7,525.25, for a total award of \$527,161.25 (the "Fourth Fee Award").

12. On June 22, 2023, the Court entered an order approving Jones Day's fifth interim fee application and granted Jones Day an award of fees in the amount of \$348,240.00 and expenses in the amount of \$3,797.73, for a total award of \$352,037.73 (the "Fifth Fee Award").

13. Pursuant to the Interim Compensation Order, Jones Day filed the following monthly fee statements for work performed and expenses incurred during the Sixth Interim Compensation Period (the "Monthly Fee Statements") and served such statements on the Diocese and the other Notice Parties (as defined in the Interim Compensation Order):

Date Filed	Period Covered	Fees ²	Expenses
3/22/2023	2/1/2023 – 2/28/2023	\$17,182.00	\$0.00
5/4/2023	3/1/2023 – 3/31/2023	\$50,668.00	\$366.14
5/24/2023	4/1/2023 – 4/30/2023	\$13,576.00	\$0.00
6/29/2023	5/1/2023 – 5/31/2023	\$5,556.00	\$0.00
7/31/2023	6/1/2023 – 6/30/2023	\$5,438.00	\$0.00
8/28/2023	7/1/2023 – 7/31/2023	\$6,274.00	\$0.00
Total:		\$98,694.00	\$366.14

14. Upon the expiration of the applicable objection period, the Interim Compensation Order authorized the Diocese to pay Jones Day 80% of its undisputed fees and 100% of the undisputed expenses set forth in each Monthly Fee Statement. As of the date of this Application, the deadlines established in the Interim Compensation Order for objecting to Jones Day's Monthly Fee Statements have passed and no formal objections to any of Jones Day's Monthly Fee Statements have been filed in accordance with the Interim Compensation Order.³ Accordingly, the

² After the filing of its Monthly Fee Statements, Jones Day wrote off an additional \$144.00, reducing the total amount of fees sought in this Application to \$98,550.00.

³ See Certificates of no objection with respect to the Monthly Fee Statements filed at docket numbers 2286; 2339; 2373; 2441; 2483; and 2499.

Diocese has made payments to Jones Day on account of the Monthly Fee Statements for the period from February 1, 2023 through July 31, 2023 in the amount of \$79,321.34.

15. During the Sixth Interim Compensation Period, Jones Day provided counsel to and represented the Diocese with respect to the implementation of a settlement agreement that resolved an action commenced November 23, 2020 against the Diocese by the Attorney General of the State of New York (the "Attorney General") in the Supreme Court of the State of New York, County of New York, Index No. 452354/2020 (the "NYAG Action").⁴

DISCUSSION

16. All of the services for which compensation is requested by Jones Day were performed for, or on behalf of, the Diocese, and not on behalf of any creditor, examiner, trustee, or any other entity. In addition, Jones Day has not entered into any agreements to fix fees or to share compensation as prohibited by 18 U.S.C. § 155 and 11 U.S.C. § 504.

17. During the Sixth Interim Compensation Period, Jones Day billed to the Diocese a total of 106.10 hours rendering professional and paraprofessional services to the Diocese. The blended hourly rate for all services reflected in this Application was \$930.20.

18. The following is a list of the professionals and paraprofessionals who performed services on behalf of the Diocese in this Chapter 11 Case during the Fifth Interim Compensation Period which shows each individual's hourly billing rate and the hours expended in the provision of services to the Diocese and the fees sought in connection therewith as part of this Application:

<u>Name</u>	<u>Year of Bar Admission</u>	<u>Billing Rate 2023</u>	<u>Hours Billed</u>	<u>Total Fees</u>
<i>PARTNER</i>				
T R GEREMIA	1999	\$1,160.00	35.60	\$41,296.00
J D GOETZ	1996	\$960.00	43.90	\$42,144.00

⁴ This action was removed to the United States District Court for the Southern District of New York, Docket No. 1:21-cv-00189.

E M JOYCE	1987	\$1,200.00	0.90	\$1,080.00
Total Partner:			80.40	\$84,520.00
ASSOCIATE				
C T NEUMANN	2020	\$460.00	7.10	\$3,266.00
N P YEARY	2020	\$620.00	16.20	\$10,044.00
Total Associate:			23.30	\$13,310.00
PARALEGAL				
C M GUGG	N/A	\$300.00	2.40	720.00
Total Paralegal:			2.40	720.00
TOTAL:			106.10	\$98,550.00

19. The professionals working on this matter have extensive experience litigating complex actions on behalf of their clients. Jones Day has a track record of successfully crafting and employing legal strategies and arguments to protect the interests of religious organizations. Additional information regarding Jones Day's qualifications can be found in the *Supplemental Declaration of Attorney John D. Goetz in Support of Retention of Jones Day as Special Counsel to the Diocese* [Docket No. 825].

20. In recognition of the Diocese's religious and charitable mission, and as disclosed in the *Supplemental Declaration of Bishop Michael William Fisher in Support of the Retention of Jones Day as Special Counsel to the Diocese* [Docket No. 874], the Diocese and Jones Day have agreed that Jones Day will discount its standard hourly rates by 20% for this matter. The aggregate amount of this discount to Jones Day's standard hourly rates during the Sixth Interim Compensation Period was \$24,673.50.⁵

21. Jones Day has, in addition to the discounts described above, exercised its billing discretion and is not charging the Diocese for all time and services rendered on its behalf during the Sixth Interim Compensation Period. Jones Day has voluntarily written-off services valued in

⁵ The discount to Jones Day's standard hourly rates recognized during the Fifth Interim Compensation Period is in addition to the billing rate discount credited during the First \$106,247.00, Second \$98,598.50, Third \$124,967.25, Fourth \$134,996.00, and Fifth \$116,095.00 Interim Compensation Periods. Through the Sixth Interim Compensation Period, the aggregate amount of the discount to Jones Day's standard hourly rates totals \$484,077.25.

excess of \$21,078, which services are not reflected on the time records attached hereto.

Additionally, in order to comply with the Court's cap of \$300.00 per hour for services performed by paralegals, Jones Day also wrote off an additional \$144.00 after filing the Monthly Fee Statements.

22. Jones Day, in the ordinary course of its business, maintains computerized time records. Attached to this Application as **Exhibits A, B, C, D, E, and F** are the detailed time records of the services performed on behalf of the Diocese, separated by task codes, respectively for the periods from: (a) February 1, 2023 through February 28, 2023; (b) March 1, 2023 through March 31, 2023; (c) April 1, 2023 through April 30, 2023; (d) May 1, 2023 through May 31, 2023; (e) June 1, 2023 through June 30, 2023; and (f) July 1, 2023 through July 31, 2023, as submitted with Jones Day's Monthly Fee Statements for the same time periods.

23. No formal objections to any of Jones Day's Monthly Fee Statements have been filed in accordance with the Interim Compensation Order.

24. Jones Day respectfully submits that its fees are reasonable based on the customary compensation charged by comparably skilled practitioners at Jones Day and other firms in comparable representations for clients involved in bankruptcy proceedings and clients not involved in bankruptcy proceedings.

25. There is no agreement or understanding among the Diocese, Jones Day or any other person or firm for sharing of compensation to be received for services rendered in this Chapter 11 Case.

26. The services that Jones Day has rendered on behalf of the Diocese have been necessary and beneficial to the Diocese's estate. These services have not been duplicative of services provided by any of the Diocese's other retained professionals in this chapter 11 case.

27. The Court may award a professional retained by the bankruptcy estate under section 327(a) “reasonable compensation for actual necessary services” rendered by the professional, plus “reimbursement for actual, necessary expenses” under section 330 of the Bankruptcy Code. *See* 11 U.S.C. § 330(a)(1).

28. Courts generally consider twelve factors in calculating whether the fees requested by professionals in bankruptcy case are reasonable and necessary:

- i. the time and labor required;
- ii. the novelty and difficulty of issues;
- iii. the skill necessary to perform the services properly;
- iv. the preclusion of other employment;
- v. the customary fee;
- vi. whether the fee is fixed or contingent;
- vii. time limitations imposed by the client or circumstances;
- viii. the amounts involved and the results obtained;
- ix. the experience, reputation and ability of the professional;
- x. the undesirability of the case;
- xi. the nature and length of the professional relationship to the client; and
- xii. awards in similar cases.

See Johnson v. Georgia Highway Express, Inc., 488 F.2d 714 (5th Cir. 1974). Moreover, in awarding attorneys' fees, courts also consider whether the services rendered were reasonably likely to benefit the debtor's estate at the time they were performed. *See In re Ames Dep't Stores, Inc.*, 76 F.3d 66, 71 (2d Cir. 1996), *rev'd on other grounds*, *Lamie v. U.S. Trustee*, 540 U.S. 526 (2004).

Thus, as one court explained, the Court should focus on what a reasonable lawyer would have done at the time and not invoke a hindsight analysis:

[I]t is important for a court to maintain "a sense of overall proportion," and not "become enmeshed in meticulous analysis of every detailed facet of the professional representation." It is easy to speculate in retrospect that the work could have been done in less time or with fewer attorneys or with an associate rather than a partner. On the other hand, it is also possible that [the debtor] would not have enjoyed the success it did had its counsel managed matters differently.

Boston & Maine Corp. v. Moore (In re Boston & Maine Corp.), 776 F.2d 2, 10 (1st Cir. 1985) (citations omitted); *see also In re Angelika Films 57th, Inc.*, 227 B.R. 29, 42 (Bankr. S.D.N.Y. 1998) (whether services are reasonable and necessary “does not rely on perfect hindsight, which the court must scrupulously avoid in making fee awards”); *In re Ames Dep’t Stores*, 76 F.3d at 71-72 (noting that courts should determine the necessity of services provided in an “objective manner, based upon what services a reasonable lawyer or legal firm would have performed in the same circumstances”); *In re Keene Corp.*, 205 B.R. 690, 696 (Bankr. S.D.N.Y. 1997), *as corrected* (Mar. 12, 1997) (noting that whether services were necessary is an objective test which requires a court to consider “what services a reasonable lawyer or legal firm would have performed in the same circumstances”).

29. Jones Day respectfully suggests that the fair and reasonable value of the services performed by it during the Sixth Interim Compensation Period is \$98,550.00.

30. The Stipulated Final Order globally resolved the NYAG Action, allowing the Diocese to move forward in pursuing its religious and charitable objectives and to continue working towards confirming a chapter 11 plan. The Monthly Fee Statements submitted by Jones Day during the Chapter 11 Case reflect that negotiations generally involved ongoing discussions and meetings, correspondence, presentations to the Attorney General concerning various issues raised, and responses to a series of information requests from the Attorney General.

31. During the Sixth Interim Compensation Period specifically, Jones Day resolved a number of items raised by the Attorney General in connection with finalizing the Stipulated Final Order. Following the effective date of the Stipulated Final Order, Jones Day is assisting with the implementation of the settlement. The services rendered during the Sixth Interim Compensation Period include, among other things:

- a. Services related to the implementation of the Stipulated Final Order, including conferring with the independent auditor regarding preparation of a

draft audit plan and advising the Diocese in connection with the topics to be included in the plan;

- b. Communications with the independent auditor, the Office of Attorney General (“OAG”), and the Diocese regarding the appropriate scope, terms, and timetable for the audit plan as required under the Stipulated Final Order;
- c. Services related to obtaining the return of the Diocese’s documents provided to the OAG during settlement negotiations;
- d. Services related to addressing requests from insurers for documents and records provided by the Diocese to the OAG during settlement negotiations;
- e. Services related to researching legal updates relevant to the Diocese’s policies, and analyzing the impact of those updates on the Diocese’s compliance with the terms of the settlement agreement;
- f. Monitoring the status of the independent auditor’s implementation of the finalized audit plan, and responding to questions arising from meetings between the Diocese and the independent auditor relating to implementation of the terms of the settlement agreement; and
- g. Services related to the advising the Diocese regarding responses to FOIL requests for documents produced by the Diocese to the OAG during settlement negotiations.

32. All of the services for which compensation is requested by Jones Day were performed exclusively for, or on behalf of, the Diocese, and not on behalf of any creditor, examiner, trustee, or any other entity. Furthermore, all of the services for which compensation is requested by Jones Day were necessary to resolve the NYAG Action through the Stipulated Final Order and to begin implementing the terms of the settlement.

33. Based on the foregoing, Jones Day respectfully requests that this court issue an order approving payment to Jones Day of fees and expenses in the amount of \$98,916.14 and directing the Diocese to pay to Jones Day the unpaid portion of such fees and expenses after taking into accounts any amounts paid to Jones Day prior to the hearing on this Application. The unpaid

portions of Jones Day's fees and expenses for the Sixth Interim Compensation Period as of the date of this Application are set out in the table below.

Period Covered	Amount Invoiced ⁶	Amount Requested	Amount Paid	Amount Unpaid
2/1/2023 – 2/28/2023	\$17,182.00	\$17,170.00	\$13,745.60	\$3,424.40
3/1/2023 – 3/31/2023	\$51,034.14	\$50,998.14	\$40,900.54	\$10,097.60
4/1/2023 – 4/30/2023	\$13,576.00	\$13,564.00	\$10,860.80	\$2,703.20
5/1/2023 – 5/31/2023	\$5,556.00	\$5,520.00	\$4,444.80	\$1,075.20
6/1/2023 – 6/30/2023	\$5,438.00	\$5,414.00	\$4,350.40	\$1,063.60
7/1/2023 – 7/31/2023	\$6,274.00	\$6,250.00	\$5,019.20	\$1,230.80
Total:	\$99,060.14	\$98,916.14	\$79,321.34	\$19,594.80

DISBURSEMENTS

34. During the Sixth Interim Compensation Period, Jones Day has incurred reasonable and necessary out-of-pocket disbursements totaling \$366.14 in connection with its representation of the Diocese. The requested disbursements are customarily charged to and paid by Jones Day's bankruptcy and non-bankruptcy clients.

NOTICE

35. Pursuant to the Interim Compensation Order, this Application will be served only upon the Notice Parties (as defined in the Interim Compensation Order). Notice of the hearing on this Application will be given to (i) the Office of the United States Trustee for the Western District of New York, (ii) counsel for the Committee (iii) all required governmental agencies, (iv) all parties who have formally appeared in this Chapter 11 Case and requested notice in accordance with Rule 2002 of the Federal Rules of Bankruptcy Procedure, and (v) all of the Diocese's known creditors. In light of the nature of the relief requested herein, Jones Day respectfully submits that further notice of this Application is neither required nor necessary.

⁶ The Amount Invoiced column reflects Jones Day's Monthly Fee Statements, and the Amount Requested column reflects the amounts Jones Day is requesting in this application after taking into account write downs made after the Monthly Fee Statements were filed.

LOCAL RULE 2016-1

36. Local Rule 2016-1 requires an applicant seeking interim compensation to explain why it is appropriate for the applicant to be paid immediately rather than waiting until the end of the Chapter 11 Case. Jones Day has dedicated significant time and resources to representing the Diocese in the NYAG Action and related settlement negotiations, resulting in the Stipulated Final Order. Other administrative expenses of the Diocese are being paid in full as they accrue. To delay Jones Day's receipt of payment for services rendered—especially considering that the terms of the Stipulated Final Order have globally resolved the NYAG Action—would impose an unnecessary hardship on Jones Day. Additionally, the Court previously recognized the utility of awarding monthly and interim compensation to professionals who represent the Diocese as well as others participating in the Chapter 11 Case. *See Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Professionals and Members of Official Committees* [Docket No. 362]. Jones Day respectfully suggests that Local Rule 2016-1 is satisfied and that it is appropriate for the Court to award payment of the interim compensation sought herein at this time.

CONCLUSION

37. Based upon the foregoing, Jones Day respectfully requests that the Court approve interim compensation of Jones Day in the amount of \$98,550.00 for services rendered to the Diocese during the Sixth Interim Compensation Period, plus reimbursement of expenses in the amount of \$366.14, for a total award of \$98,916.14.

WHEREFORE, Jones Day respectfully prays for the entry of an Order:

- a) Approving, awarding and allowing on an interim basis fees to Jones Day for services rendered to the Diocese during the Sixth Interim Compensation Period in the sum of \$98,550.00 together with actual and necessary disbursements in the amount of \$366.14;

- b) directing that Jones Day be paid, from the Diocese's estate, all such fees and expenses which have not previously been paid pursuant to the Interim Compensation Order; and
- c) granting such other and further relief as this Court deems just and proper.

Dated: October 30, 2023

/s/ John D. Goetz

John D. Goetz (admitted *pro hac vice*)

Jones Day

500 Grant Street, Suite 4500

Pittsburgh, PA 15219-2514

(412) 391-3939

jdgoetz@jonesday.com

Exhibit A

Jones Day Invoice for February 1, 2023 – February 28, 2023

JONES DAY

Pittsburgh Office
500 Grant Street, Suite 4500
Pittsburgh, PA 15219-2514
(412) 391-3939

March 20, 2023

764596

Invoice: 231400607

Roman Catholic Diocese of Buffalo
795 Main Street
Buffalo, NY 14203
United States of America

For legal services rendered for the period through February 28, 2023:

	<u>Hours</u>		<u>Amount</u>
State of New York v. Diocese of Buffalo, et al.	15.10		16,056.00
Fee/Employment Applications	1.70		1,054.00
Case Administration	0.20		72.00
Total Fees	17.00	USD	17,182.00
TOTAL		USD	<u>17,182.00</u>

JONES DAY

764596

Roman Catholic Diocese of Buffalo

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March 20, 2023
Invoice: 231400607

Timekeeper/Fee Earner Summary – February 28, 2023

<i>Timekeeper/Fee Earner Name</i>	<i>Title</i>	<i>Bar Year</i>	<i>Hours</i>	<i>Discounted Rate¹</i>	<i>Amount</i>
T R Geremia	Partner	1999	7.80	1,160.00	9,048.00
J D Goetz	Partner	1986	7.30	960.00	7,008.00
Total			15.10		16,056.00
N P Yeary	Associate	2020	1.70	620.00	1,054.00
Total			1.70		1,054.00
C M Gugg	Paralegal		0.20	360.00	72.00
Total			0.20		72.00
Total			17.00	USD	17,182.00

¹ Discounted rates reflect a 20% discount to Jones Day's standard rates, as agreed between Jones Day and the Diocese and as disclosed in the *Supplemental Declaration of Bishop Michael William Fisher in Support of the Retention of Jones Day as Special Counsel to the Diocese* [Docket No. 874].

JONES DAY

764596

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March 20, 2023

Roman Catholic Diocese of Buffalo

Invoice: 231400607

Fee Detail

<i>Date of Service</i>	<i>Timekeeper/Fee Earner Name</i>	<i>Hours</i>	<i>Amount</i>
State of New York v. Diocese of Buffalo, et al.			
02/06/23	T R Geremia	1.10	1,276.00
Meet with independent auditor in connection with preparation of Audit Plan.			
02/06/23	J D Goetz	1.00	960.00
Conversation with K. McChesney, T. Geremia regarding results of January 31 meeting with Office of the Attorney General team, next steps regarding revising draft audit plan and circulating same to Diocese and Office of the Attorney General teams.			
02/07/23	J D Goetz	0.30	288.00
Email to Diocese team regarding results of February 6 call with K. McChesney, timing and review of updated audit plan.			
02/09/23	T R Geremia	0.50	580.00
Meet with client regarding Audit Plan.			
02/09/23	J D Goetz	1.10	1,056.00
Prepare for (.2), attend call with Diocese team re results of January 31 meeting between Office of the Attorney General and K. McChesney, timing and review of revised audit plan (.8); respond to Diocese team emails regarding status of audit plan (.1).			
02/15/23	J D Goetz	0.40	384.00
Respond to emails from K. McChesney regarding completion of revised audit plan, timetable for receiving comments from Diocese and Office of the Attorney General.			
02/17/23	T R Geremia	0.60	696.00
Correspondence re Audit Plan and Office of the Attorney General request for further information in connection with it.			
02/17/23	J D Goetz	0.50	480.00
Conversation with K. McChesney regarding Office of the Attorney General request for information (.4); review follow-up email from Diocese team regarding same (.1).			
02/17/23	J D Goetz	0.60	576.00
Review updated audit plan (.4); emails to Diocese team and T. Geremia regarding same (.2).			
02/23/23	T R Geremia	0.30	348.00
Correspondence with J. Goetz regarding audit plan.			
02/23/23	J D Goetz	0.90	864.00
Review revised audit plan as proposed by K. McChesney (.6); emails to Diocese team and T. Geremia regarding comments on audit plan (.3).			
02/27/23	T R Geremia	0.50	580.00
Meet with client regarding correspondence with Office of the Attorney General and Audit Plan.			
02/27/23	J D Goetz	0.60	576.00
Emails to Diocese team, T. Geremia regarding Office of the Attorney General letter received on February 27 (.3); emails regarding response to same and agenda for conference call with Diocese (.3).			

JONES DAY

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March 20, 2023

Roman Catholic Diocese of Buffalo

Invoice: 231400607

<i>Date of Service</i>	<i>Timekeeper/Fee Earner Name</i>	<i>Hours</i>	<i>Amount</i>
02/28/23	T R Geremia Draft letters to Office of the Attorney General and to Auditor regarding Audit Plan and document issues (3.8); meet with client regarding Audit Plan and Office of the Attorney General correspondence (1.0).	4.80	5,568.00
02/28/23	J D Goetz Prepare for (.5), attend call with Diocese team and T. Geremia regarding response to independent auditor's request for comments on revised audit plan, Office of the Attorney General letter dated February 27 (.8).	1.30	1,248.00
02/28/23	J D Goetz Review emails from Diocese team regarding response to independent auditor, draft letters responding to Office of the Attorney General February 27 letter and comments on revised audit plan.	0.60	576.00
Matter Total		15.10	USD 16,056.00

Fee/Employment Applications

02/02/23	N P Yeary Finalize December monthly fee statement (0.1); correspond with Diocese team and Goetz (Jones Day) regarding same (0.2).	0.30	186.00
02/07/23	N P Yeary Correspond with C. Gugg to coordinate filing of December fee statement (0.1); review as filed version of same (0.1); correspond with Stretto team to coordinate service of same (0.1).	0.30	186.00
02/10/23	N P Yeary Correspond with Ernst regarding fee statement for services rendered in January.	0.10	62.00
02/15/23	N P Yeary Prepare a monthly fee statement covering services rendered in January (0.4); correspond with Ernst and J. Goetz regarding same (0.1).	0.50	310.00
02/27/23	N P Yeary Prepare a CNO covering services rendered in December and circulate same to C. Gugg.	0.20	124.00
02/28/23	N P Yeary Review as filed CNO and circulate to Diocese team.	0.30	186.00
Matter Total		1.70	USD 1,054.00

Case Administration

02/28/23	C M Gugg Review and electronically file certificate of no objection.	0.20	72.00
Matter Total		0.20	USD 72.00

Exhibit B

Jones Day Invoice for March 1, 2023 – March 31, 2023

JONES DAY

Pittsburgh Office
500 Grant Street, Suite 4500
Pittsburgh, PA 15219-2514
(412) 391-3939

May 3, 2023

764596

Invoice: 231401112

Roman Catholic Diocese of Buffalo
795 Main Street
Buffalo, NY 14203
United States of America

For legal services rendered for the period through March 31, 2023:

	<u>Hours</u>		<u>Amount</u>
State of New York v. Diocese of Buffalo, et al.	47.40		47,774.00
Fee/Employment Applications	4.70		2,894.00
Total Fees	52.10	USD	50,668.00
Total Billed Disbursements		USD	<u>366.14</u>
TOTAL		USD	<u>51,034.14</u>

JONES DAY

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Roman Catholic Diocese of Buffalo

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May 3, 2023

Invoice: 231401112

Disbursement & Charges Summary

Travel - Taxi Charges

366.14

USD 366.14

JONES DAY

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Roman Catholic Diocese of Buffalo

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May 3, 2023
Invoice: 231401112

Timekeeper/Fee Earner Summary – March 31, 2023

<i>Timekeeper/Fee Earner Name</i>	<i>Title</i>	<i>Bar Year</i>	<i>Hours</i>	<i>Discounted Rate¹</i>	<i>Amount</i>
T R Geremia	Partner	1999	19.60	1,160.00	22,736.00
J D Goetz	Partner	1986	24.90	960.00	23,904.00
Total			44.50		46,640.00
C T Neumann	Associate	2020	3.30	460.00	1,518.00
N P Yeary	Associate	2020	3.70	620.00	2,294.00
Total			7.00		3,812.00
C M Gugg	Paralegal		0.60	360.00	216.00
Total			0.60		216.00
Total			52.10	USD	50,668.00

¹ Discounted rates reflect a 20% discount to Jones Day's standard rates, as agreed between Jones Day and the Diocese and as disclosed in the *Supplemental Declaration of Bishop Michael William Fisher in Support of the Retention of Jones Day as Special Counsel to the Diocese* [Docket No. 874].

JONES DAY

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May 3, 2023

Roman Catholic Diocese of Buffalo

Invoice: 231401112

Fee Detail

<i>Date of Service</i>	<i>Timekeeper/Fee Earner Name</i>	<i>Hours</i>	<i>Amount</i>
State of New York v. Diocese of Buffalo, et al.			
03/01/23	T R Geremia	2.30	2,668.00
Revise letter to auditor regarding audit plan (.6); meet with client regarding audit plan (.5); correspond with auditor regarding audit plan (.4); correspond with Office of the Attorney General regarding audit plan process (.8).			
03/01/23	J D Goetz	4.00	3,840.00
Email to K. McChesney responding to request for comments on updated audit plan (.2); revise draft letter to K. McChesney providing comments on updated audit plan (.7); email to T. Geremia regarding further points to include in draft (.3); attend call with Diocese team regarding comments on updated audit plan (.8); conversation with K. McChesney regarding same (.5); review further updated draft of audit plan incorporating comments from Office of the Attorney General, emails from K. McChesney regarding same (.5); emails to S. Roberto regarding blackline showing additional changes to latest update (.2); Revise draft letter to E. Stern (Office of the Attorney General) responding to the February 27 letter and demand for production of documents (.8).			
03/02/23	T R Geremia	1.80	2,088.00
Draft correspondence and correspond with Office of the Attorney General and auditor regarding schedule for finalizing audit plan.			
03/02/23	J D Goetz	2.10	2,016.00
Review March 1 updated draft audit plan as circulated by K. McChesney (.4); call with Diocese and T. Geremia to discuss same (.6); review emails from K. McChesney regarding draft audit plan, report on results of call to discuss same (.5); review further emails from E. Stern (Office of the Attorney General), K. McChesney, T. Geremia regarding agreement for extension of time, confirmation of Office of the Attorney General request for documents provided to auditor by Diocese on January 2 (.4); email to T. Geremia regarding work plan to provide comments on March 1 revised audit plan and Office of the Attorney General letter of February 27 (.2).			
03/03/23	T R Geremia	0.50	580.00
Correspond with J. Goetz regarding revisions to audit plan.			
03/03/23	J D Goetz	0.80	768.00
Email to T. Geremia regarding March 1 revised audit plan (.2); follow-up conversation regarding changes and revisions to letters to Office of the Attorney General and K. McChesney (.3); review prior correspondence to K. McChesney regarding revisions to earlier draft plan (.3).			
03/05/23	T R Geremia	2.30	2,668.00
Drafting proposed revisions to audit plan and providing reasons and analysis in connection with same.			
03/05/23	J D Goetz	0.60	576.00
Revise draft letter to E. Stern (Office of the Attorney General) regarding request for audit information, return of Diocese documents (.4); review mark-ups to March 1 revised audit plan, as forwarded by T. Geremia (.2).			
03/06/23	T R Geremia	2.80	3,248.00
Revising letter to Office of the Attorney General regarding documents; drafting correspondence to client and auditor regarding audit plan.			
03/06/23	J D Goetz	2.40	2,304.00
Emails to T. Geremia regarding mark-ups to March 1 updated audit plan, finalizing letter to Office of the			

JONES DAY

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May 3, 2023

Roman Catholic Diocese of Buffalo

Invoice: 231401112

<i>Date of Service</i>	<i>Timekeeper/Fee Earner Name</i>	<i>Hours</i>	<i>Amount</i>
Attorney General regarding request to produce additional documents and requesting return of settlement documents, plan for providing comments to K. McChesney on audit plan, draft letter to K. McChesney regarding comments to audit plan (.9); follow-up conversation with T. Geremia regarding next steps for communicating with K. McChesney regarding audit plan (.4); review revisions to March 1 updated audit plan (.8); email to T. Geremia regarding comments on same (.3).			
03/07/23	T R Geremia	1.10	1,276.00
Revised letter to Office of the Attorney General regarding audit plan and documents, meet with C. Neuman regarding audit research project.			
03/07/23	J D Goetz	1.80	1,728.00
Draft, revise letter to K. McChesney regarding comments on March 1 revised audit plan (.5); review track change revisions to same (.4); email to K. McChesney regarding same (.1); review, respond to emails from Diocese regarding track changes to March 1 draft audit plan (.5); review Office of the Attorney General response to Jones Day letter regarding January 2 information, return of Diocese settlement materials (.3).			
03/08/23	T R Geremia	2.70	3,132.00
Revise suggestions to audit plan, meet with independent auditor and J. Goetz regarding audit plan.			
03/08/23	J D Goetz	2.00	1,920.00
Email to K. McChesney regarding Jones Day comments to March 1 audit plan (.2) and prepare for (.3) and attend call with K. McChesney to discuss Jones Day comments to March 1 audit plan (.7); review audit research (.3); emails from T. Geremia and C. Neumann regarding same and next steps following call with K. McChesney regarding new draft of audit plan (.5).			
03/08/23	C T Neumann	3.30	1,518.00
Research concerning audit plan based on Office of the Attorney General comments (2.9); communicate with T. Geremia, J. Goetz regarding research and results for exemplar audit plans applying relevant provisions (.4).			
03/09/23	T R Geremia	0.80	928.00
Correspond with independent auditor and J. Goetz regarding revised audit plan.			
03/09/23	J D Goetz	1.00	960.00
Review March 9 updated audit plan from K. McChesney, various blackline comments from Diocese and T. Geremia on same (.5); follow-up emails to K. McChesney regarding next steps concerning audit plan (.5)			
03/10/23	J D Goetz	0.80	768.00
Review updated draft audit plan forwarded on March 9 to Office of the Attorney General (.5); emails to T. Geremia regarding letter to K. McChesney regarding plan, follow-up call with Diocese, fourth request for Office of the Attorney General to return Diocese documents (.3).			
03/13/23	T R Geremia	0.60	696.00
Revise letter regarding audit plan and correspond with independent auditor and J. Goetz regarding same.			
03/13/23	J D Goetz	1.70	1,632.00
Email to Diocese team regarding update on revised audit plan (.4); email to K. McChesney regarding status of Office of the Attorney General's review of March 1 version and plan to address any additional requests for changes (.4); incorporate revisions from T. Geremia in to draft email to K. McChesney (.3); voicemail from K. McChesney regarding update on revised to audit plan, next steps for addressing any further changes from Office of the Attorney General (.3); respond to K. McChesney and conversation with T. Geremia regarding same (.3).			

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May 3, 2023

Roman Catholic Diocese of Buffalo

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<i>Date of Service</i>	<i>Timekeeper/Fee Earner Name</i>	<i>Hours</i>	<i>Amount</i>
03/15/23	T R Geremia Call with independent auditor and J. Goetz regarding audit plan.	0.80	928.00
03/15/23	J D Goetz Call with K. McChesney (.5); respond to follow-up emails regarding Office of the Attorney General further comments on updated draft of audit plan and submitting Diocese response to same (.5).	1.00	960.00
03/16/23	T R Geremia Commenting on proposed revisions to audit plan and corresponding with independent auditor and J. Goetz regarding same.	2.20	2,552.00
03/16/23	J D Goetz Review Office of the Attorney General March 15 recommendations to independent auditor regarding revisions to audit plan (.3); review and revise Diocese comments on same and request for scope of final audit plan, emails to T. Geremia regarding revisions to draft response (1.2); review emails from Diocese team regarding Diocese comments to Office of the Attorney General recommendations (.3); respond to emails from auditor regarding finalizing the audit plan (.4).	2.20	2,112.00
03/17/23	J D Goetz Emails to Diocese team, T. Geremia regarding status of updated draft audit plan, timetable for finalizing same.	0.50	480.00
03/18/23	J D Goetz Review email from S. Roberto including March 17 finalized audit plan and chart supporting same (.3); emails to Diocese team and T. Geremia regarding review of same and upcoming conference call (.1).	0.40	384.00
03/19/23	J D Goetz Emails to Diocese, T. Geremia regarding agenda for upcoming call with Diocese team regarding March 17 audit plan and attachments.	0.40	384.00
03/20/23	T R Geremia Conference with client and J. Goetz regarding redline of changes made by Office of the Attorney General to draft audit plan and analysis of same.	1.30	1,508.00
03/20/23	J D Goetz Review track changes of March 17 final audit plan, emails to Diocese team and T. Geremia regarding major changes incorporated into and analysis of same (1.3); attend call with T. Geremia regarding March 17 audit plan, changes incorporated into same (.8); review emails regarding results of meeting, next steps to address issues discussed during same (.1).	2.20	2,112.00
03/22/23	J D Goetz Review emails from Diocese regarding follow-up questions regarding scope of audit plan.	0.20	192.00
03/24/23	T R Geremia Conference with K. McChesney regarding next steps for audit and audit plan process.	0.40	464.00
03/24/23	J D Goetz Call with K. McChesney to discuss audit and audit plan.	0.40	384.00
Matter Total		47.40	USD 47,774.00

Fee/Employment Applications

JONES DAY

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May 3, 2023

Roman Catholic Diocese of Buffalo

Invoice: 231401112

<i>Date of Service</i>	<i>Timekeeper/Fee Earner Name</i>	<i>Hours</i>	<i>Amount</i>
03/02/23	J D Goetz Review draft statement for January fees, revisions to same.	0.20	192.00
03/02/23	N P Yeary Prepare a fee statement covering services rendered in January (0.4); correspond with Ernst, J. Goetz, and the Diocese team concerning same (0.2).	0.60	372.00
03/03/23	C M Gugg Review and electronically file monthly fee statement.	0.20	72.00
03/03/23	N P Yeary Revise a fee application concerning services rendered in January (0.2); correspond with C. Gugg concerning same (0.2); review as filed copy (0.1); correspond with Stretto team concerning service of same (0.1).	0.60	372.00
03/07/23	N P Yeary Prepare a monthly fee statement covering February services (0.3); correspond with J. Goetz regarding same (0.1).	0.40	248.00
03/09/23	N P Yeary Prepare a fee statement concerning services rendered in February (.2).	0.20	124.00
03/17/23	N P Yeary Correspond with J. Goetz and Ernst regarding February fee statement.	0.10	62.00
03/20/23	J D Goetz Review, revise draft statement for February services, email to N. Yeary regarding same.	0.20	192.00
03/20/23	N P Yeary Prepare a fee statement concerning February services (0.4); correspond with J. Goetz and Ernst concerning same (0.2); correspond with Diocese team concerning same (0.3); prepare a CNO covering services rendered in January (0.2).	1.10	682.00
03/22/23	C M Gugg Review and electronically file February 2023 monthly fee statement and certificate of no objection to January 2023 monthly fee statement.	0.40	144.00
03/22/23	N P Yeary Finalize February fee statement and CNO covering services rendered in January and send to C. Gugg for filing (0.2); review as filed CNO and correspond with client concerning same (0.3); review as filed February fee statement and coordinate service of same (0.2).	0.70	434.00
Matter Total		4.70	USD 2,894.00

JONES DAY

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May 3, 2023

Roman Catholic Diocese of Buffalo

Invoice: 231401112

Disbursement Detail

<i>Date</i>	<i>Timekeeper/Fee Earner Name</i>	<i>Location</i>	<i>Amount</i>	<i>Total</i>
State of New York v. Diocese of Buffalo, et al.				

TRAVEL - TAXI CHARGES

03/16/23	T R Geremia	NYC	190.34	
Vendor: Todd R. Geremia Invoice#: 5655078303161217 Date: 3/16/2023 - - Taxi Vendor: Dial Car Inc; Invoice#: 47629; Date: 12/8/2022-- from YONKERS, NY.: 36 Arthur Pl (Greystone Ter) to JFK ... 12/01/2022 Geremia, Todd				
03/16/23	T R Geremia	NYC	175.80	
Vendor: Todd R. Geremia Invoice#: 5655078303161217 Date: 3/16/2023 - - Taxi Vendor: Dial Car Inc; Invoice#: 47629; Date: 12/8/2022--- from LGA:DL 4897:BUF-Buffalo, NY (Out-Track) to YONKERS, NY.: 36 Arthur Pl (Greystone Ter) ... waiting time\$10 12/01/2022 Geremia, Todd				
Travel - Taxi Charges Subtotal				366.14
Matter Total			USD	366.14

Exhibit C

Jones Day Invoice for April 1, 2023 – April 30, 2023

JONES DAY

Pittsburgh Office
500 Grant Street, Suite 4500
Pittsburgh, PA 15219-2514
(412) 391-3939

May 23, 2023

764596

Invoice: 231401319

Roman Catholic Diocese of Buffalo
795 Main Street
Buffalo, NY 14203
United States of America

For legal services rendered for the period through April 30, 2023:

	<u>Hours</u>		<u>Amount</u>
State of New York v. Diocese of Buffalo, et al.	10.50		10,330.00
Fee/Employment Applications	5.10		3,246.00
Total Fees	15.60	USD	13,576.00
TOTAL		USD	<u>13,576.00</u>

JONES DAY

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Roman Catholic Diocese of Buffalo

Page: 2
May 23, 2023
Invoice: 231401319

Timekeeper/Fee Earner Summary – April 30, 2023

<i>Timekeeper/Fee Earner Name</i>	<i>Title</i>	<i>Bar Year</i>	<i>Hours</i>	<i>Discounted Rate¹</i>	<i>Amount</i>
T R Geremia	Partner	1999	4.00	1,160.00	4,640.00
J D Goetz	Partner	1986	5.80	960.00	5,568.00
Total			9.80		10,208.00
C T Neumann	Associate	2020	1.10	460.00	506.00
N P Yeary	Associate	2021	4.50	620.00	2,790.00
Total			5.60		3,296.00
C M Gugg	Paralegal		0.20	360.00	72.00
Total			0.20		72.00
Total			15.60	USD	13,576.00

¹ Discounted rates reflect a 20% discount to Jones Day's standard rates, as agreed between Jones Day and the Diocese and as disclosed in the *Supplemental Declaration of Bishop Michael William Fisher in Support of the Retention of Jones Day as Special Counsel to the Diocese* [Docket No. 874].

JONES DAY

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May 23, 2023

Roman Catholic Diocese of Buffalo

Invoice: 231401319

Fee Detail

<i>Date of Service</i>	<i>Timekeeper/Fee Earner Name</i>	<i>Hours</i>	<i>Amount</i>
State of New York v. Diocese of Buffalo, et al.			
04/11/23	J D Goetz	0.80	768.00
Review, respond to emails from Diocese team regarding agenda for upcoming meeting with auditor (.3) and C. Sullivan (Bond, Schoeneck & King) regarding insurer request for records produced to the Office of the Attorney General during investigation (.3); emails to T. Geremia regarding response to insurer request, conference call to discuss same (.2).			
04/12/23	T R Geremia	0.50	580.00
Conference with J. Goetz regarding Office of the Attorney General production and meeting with bankruptcy counsel regarding same.			
04/12/23	J D Goetz	0.90	864.00
Review, respond to emails from Connors firm, Bond, Schoeneck & King regarding response to insurer request for documents regarding Office of the Attorney General investigation (.4); conversation with T. Geremia regarding response to insurer request along with letter from Office of the Attorney General regarding materials produced during settlement negotiations (.5).			
04/13/23	T R Geremia	1.40	1,624.00
Drafting correspondence to bankruptcy counsel regarding production to Office of the Attorney General (.4); call with bankruptcy counsel regarding same (.5); conference with client regarding independent auditor and next steps for audit (.5).			
04/13/23	J D Goetz	0.50	480.00
Attend call with C. Sullivan, Bond, Schoeneck & King, T. Geremia regarding response to insurer request for documents produced to Office of the Attorney General during investigation, relating to investigation.			
04/13/23	J D Goetz	0.80	768.00
Prepare for (.3), attend call with Diocese team, T. Geremia regarding agenda for upcoming meeting with auditor, review of records regarding settlement agreement, Diocese attendees during meetings with auditor and related matters (.5).			
04/13/23	C T Neumann	0.90	414.00
Communicate (in firm) with J. Goetz and T. Geremia regarding Diocese production to Office of the Attorney General, and analysis of deposition testimony, to assist Diocese's bankruptcy counsel.			
04/19/23	J D Goetz	0.20	192.00
Review, respond to emails regarding April 20 call to discuss results of meeting between Diocese team and independent auditor.			
04/20/23	T R Geremia	0.80	928.00
Conference with J. Goetz and L. Quinlan regarding IRB issue (.3); conference with client regarding same (.5).			
04/20/23	J D Goetz	0.50	480.00
Emails regarding results of Diocese meeting with independent auditor, follow-up tasks with Diocesan entities based on auditor meeting.			
04/20/23	J D Goetz	0.30	288.00
Conversation with L. Quinlan, T. Geremia regarding follow-up tasks following Diocese meetings with independent auditor.			

JONES DAY

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May 23, 2023

Roman Catholic Diocese of Buffalo

Invoice: 231401319

<i>Date of Service</i>	<i>Timekeeper/Fee Earner Name</i>	<i>Hours</i>	<i>Amount</i>
04/20/23	J D Goetz	0.80	768.00
	Prepare for (.3), attend call with Bishop Fisher, Diocese team, T. Geremia, L. Quinan regarding plan for follow-up as discussed during meetings with independent auditor (.5).		
04/21/23	T R Geremia	1.10	1,276.00
	Reviewing and sending documents to bankruptcy counsel (.8); conference with L. Quinlan regarding documents produced to Office of the Attorney General (.3).		
04/21/23	J D Goetz	0.60	576.00
	Emails to L. Quinlan regarding results of meetings with independent auditor regarding IRB process (.4); emails to Bond, Schoeneck & King regarding documents produced to Office of the Attorney General during settlement negotiations (.2).		
04/27/23	T R Geremia	0.20	232.00
	Conference with C. Neumann regarding Diocese policies issue.		
04/27/23	C T Neumann	0.20	92.00
	Communicate (in firm) with T. Geremia regarding Diocese policies under settlement with Office of the Attorney General.		
Matter Total		10.50	USD 10,330.00

Fee/Employment Applications

04/01/23	N P Yeary	3.20	1,984.00
	Correspond with J. Goetz regarding fee application and next steps (0.2); draft fifth interim fee application (3.0).		
04/06/23	C M Gugg	0.20	72.00
	Review and electronically file CNO to monthly fee statement.		
04/06/23	N P Yeary	0.20	124.00
	Coordinate filing of CNO covering February services and correspond with client regarding same.		
04/13/23	N P Yeary	0.40	248.00
	Communicate with J. Goetz regarding upcoming interim fee application.		
04/18/23	J D Goetz	0.40	384.00
	Review draft fifth interim fee application, emails to N. Yeary regarding initial comments and review of draft fee statement for March time.		
04/19/23	N P Yeary	0.10	62.00
	Communications concerning interim fee application.		
04/25/23	N P Yeary	0.60	372.00
	Prepare a monthly fee statement covering services provided in March.		
Matter Total		5.10	USD 3,246.00

Exhibit D

Jones Day Invoice for May 1, 2023 – May 31, 2023

JONES DAY

Pittsburgh Office
500 Grant Street, Suite 4500
Pittsburgh, PA 15219-2514
(412) 391-3939

June 29, 2023

764596

Invoice: 231401603

Roman Catholic Diocese of Buffalo
795 Main Street
Buffalo, NY 14203
United States of America

For legal services rendered for the period through May 31, 2023:

	<u>Hours</u>		<u>Amount</u>
State of New York v. Diocese of Buffalo, et al.	4.50		3,130.00
Fee/Employment Applications	4.00		2,426.00
Total Fees	8.50	USD	5,556.00
TOTAL		USD	<u>5,556.00</u>

JONES DAY

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Roman Catholic Diocese of Buffalo

Page: 2
June 29, 2023
Invoice: 231401603

Timekeeper/Fee Earner Summary – May 31, 2023

<i>Timekeeper/Fee Earner Name</i>	<i>Title</i>	<i>Bar Year</i>	<i>Hours</i>	<i>Discounted Billing Rate¹</i>	<i>Amount</i>
T R Geremia	Partner	1999	0.80	1,160.00	928.00
J D Goetz	Partner	1986	1.30	960.00	1,248.00
Total			2.10		2,176.00
C T Neumann	Associate	2020	2.70	460.00	1,242.00
N P Yeary	Associate	2021	3.10	620.00	1,922.00
Total			5.80		3,164.00
C M Gugg	Paralegal		0.60	360.00	216.00
Total			0.60		216.00
Total			8.50	USD	5,556.00

¹ Discounted rates reflect a 20% discount to Jones Day's standard rates, as agreed between Jones Day and the Diocese and as disclosed in the *Supplemental Declaration of Bishop Michael William Fisher in Support of the Retention of Jones Day as Special Counsel to the Diocese* [Docket No. 874].

JONES DAY

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June 29, 2023

Roman Catholic Diocese of Buffalo

Invoice: 231401603

Fee Detail

<i>Date of Service</i>	<i>Timekeeper/Fee Earner Name</i>	<i>Hours</i>	<i>Amount</i>
State of New York v. Diocese of Buffalo, et al.			
05/02/23	T R Geremia	0.80	928.00
Review and analyze issue relating to Diocese's policies, in connection with compliance with settlement agreement.			
05/02/23	J D Goetz	0.50	480.00
Respond to emails from Diocese regarding amendment to New York whistleblower laws and potential impact on settlement agreement (.3); review research regarding same and additional duties to be assumed by Diocese personnel (.2).			
05/02/23	C T Neumann	1.80	828.00
Research New York statutory law (whistleblower law regarding non profits) for legislative updates, analyze Diocese requirements from Stipulated Final Order in light of same.			
05/02/23	C T Neumann	0.90	414.00
Draft summary for T. Geremia of research on New York statutory law legislative updates and provide analysis of Diocese requirements under Stipulated Final Order.			
05/03/23	J D Goetz	0.50	480.00
Conversation with Diocese regarding candidates for open position in the Chancery, responsibilities for position.			
Matter Total		4.50	USD 3,130.00

Fee/Employment Applications

05/02/23	N P Yeary	0.70	434.00
Prepare a monthly fee statement covering March services.			
05/03/23	J D Goetz	0.30	288.00
Review, revise updated draft statement for March services, email to N. Yeary and T. Ernst regarding revisions to same.			
05/03/23	N P Yeary	0.40	248.00
Prepare a fee statement concerning March services (0.3); correspond with client concerning same (0.1).			
05/04/23	C M Gugg	0.20	72.00
Review and electronically file monthly fee statement.			
05/04/23	N P Yeary	0.30	186.00
Finalize fee statement (0.1); correspond with C. Gugg regarding filing monthly fee statement (0.1); review as filed and coordinate service of same (0.1).			
05/16/23	N P Yeary	0.70	434.00
Prepare a monthly fee statement covering April services (0.6); correspond with J. Goetz and T. Ernst regarding same (0.1).			
05/23/23	N P Yeary	0.80	496.00
Prepare a CNO covering March monthly fee statement (0.2); prepare a monthly fee statement covering			

JONES DAY

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June 29, 2023

Roman Catholic Diocese of Buffalo

Invoice: 231401603

<i>Date of Service</i>	<i>Timekeeper/Fee Earner Name</i>	<i>Hours</i>	<i>Amount</i>
April services (0.2); correspond with client regarding filing of same (0.2); finalize and correspond with C. Gugg regarding filing (0.2).			
05/24/23	C M Gugg	0.40	144.00
Redact and electronically file certificate of no objection and monthly fee statement.			
05/24/23	N P Yeary	0.20	124.00
Review as filed April fee statement and coordinate service re same (0.1); review as filed March CNO and send same to Diocese team (0.1).			
Matter Total		4.00	USD 2,426.00

Exhibit E

Jones Day Invoice for June 1, 2023 – June 30, 2023

JONES DAY

Pittsburgh Office
500 Grant Street, Suite 4500
Pittsburgh, PA 15219-2514
(412) 391-3939

July 31, 2023

764596

Invoice: 231401914

Roman Catholic Diocese of Buffalo
795 Main Street
Buffalo, NY 14203
United States of America

For legal services rendered for the period through June 30, 2023:

	<u>Hours</u>		<u>Amount</u>
State of New York v. Diocese of Buffalo, et al.	0.50		480.00
Fee/Employment Applications	5.50		4,958.00
Total Fees	6.00	USD	5,438.00
TOTAL		USD	<u>5,438.00</u>

JONES DAY

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Roman Catholic Diocese of Buffalo

Page: 2
July 31, 2023
Invoice: 231401914

Timekeeper/Fee Earner Summary – June 30, 2023

<i>Timekeeper/Fee Earner Name</i>	<i>Title</i>	<i>Bar Year</i>	<i>Hours</i>	<i>Discounted¹ Rate</i>	<i>Amount</i>
T R Geremia	Partner	1999	1.80	1,160.00	2,088.00
J D Goetz	Partner	1986	2.50	960.00	2,400.00
Total			4.30		4,488.00
N P Yeary	Associate	2021	1.30	620.00	806.00
Total			1.30		806.00
C M Gugg	Paralegal		0.40	360.00	144.00
Total			0.40		144.00
Total			6.00	USD	5,438.00

¹ Discounted rates reflect a 20% discount to Jones Day's standard rates, as agreed between Jones Day and the Diocese and as disclosed in the *Supplemental Declaration of Bishop Michael William Fisher in Support of the Retention of Jones Day as Special Counsel to the Diocese* [Docket No. 874].

JONES DAY

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July 31, 2023

Roman Catholic Diocese of Buffalo

Invoice: 231401914

Fee Detail

<i>Date of Service</i>	<i>Timekeeper/Fee Earner Name</i>	<i>Hours</i>	<i>Amount</i>
State of New York v. Diocese of Buffalo, et al.			
06/22/23	J D Goetz	0.30	288.00
Emails to Diocese team regarding results of fee hearing, next steps regarding working with independent auditor.			
06/27/23	J D Goetz	0.20	192.00
Respond to email from Diocese regarding settlement agreement provisions applicable to sustenance payments to retired priest.			
Matter Total		0.50	USD 480.00

Fee/Employment Applications

06/08/23	C M Gugg	0.20	72.00
Review and electronically file Certificate of No Objection to monthly fee statement for April.			
06/08/23	N P Yeary	0.50	310.00
Prepare CNO covering April fee statement (0.2); coordinate filing with C. Gugg (0.1); correspond with client regarding same (0.2).			
06/22/23	T R Geremia	1.80	2,088.00
Attending hearing on fee applications and preparation for same.			
06/22/23	J D Goetz	2.00	1,920.00
Prepare for hearing on Jones Day's fifth interim compensation application (1.00); attend bankruptcy court hearing regarding interim compensation application (0.8); conversation with T. Geremia and N. Yeary regarding results of same and next steps (0.2).			
06/27/23	N P Yeary	0.80	496.00
Prepare a monthly fee statement concerning May services (0.4); correspond with J. Goetz and Ernst regarding same (0.2); correspond with client regarding filing of same (0.2).			
06/29/23	C M Gugg	0.20	72.00
Review and e-file monthly fee statement.			
Matter Total		5.50	USD 4,958.00

Exhibit F

Jones Day Invoice for July 1, 2023 – July 31, 2023

JONES DAY

Pittsburgh Office
500 Grant Street, Suite 4500
Pittsburgh, PA 15219-2514
(412) 391-3939

August 25, 2023

764596

Invoice: 231402131

Roman Catholic Diocese of Buffalo
795 Main Street
Buffalo, NY 14203
United States of America

For legal services rendered for the period through July 31, 2023:

	<u>Hours</u>		<u>Amount</u>
State of New York v. Diocese of Buffalo, et al.	4.60		4,952.00
Fee/Employment Applications	2.30		1,322.00
Total Fees	6.90	USD	6,274.00
TOTAL		USD	<u>6,274.00</u>

JONES DAY

764596

Roman Catholic Diocese of Buffalo

Page: 2
August 25, 2023
Invoice: 231402131

Timekeeper/Fee Earner Summary – July 31, 2023

<i>Timekeeper/Fee Earner Name</i>	<i>Title</i>	<i>Bar Year</i>	<i>Hours</i>	<i>Discounted</i> ¹ <i>Rate</i>	<i>Amount</i>
T R Geremia	Partner	1999	1.60	1,160.00	1,856.00
J D Goetz	Partner	1986	2.10	960.00	2,016.00
E M Joyce	Partner	1987	0.90	1,200.00	1,080.00
Total			4.60		4,952.00
N P Yeary	Associate	2021	1.90	620.00	1,178.00
Total			1.90		1,178.00
C M Gugg	Paralegal		0.40	360.00	144.00
Total			0.40		144.00
Total			6.90	USD	6,274.00

¹ Discounted rates reflect a 20% discount to Jones Day's standard rates, as agreed between Jones Day and the Diocese and as disclosed in the *Supplemental Declaration of Bishop Michael William Fisher in Support of the Retention of Jones Day as Special Counsel to the Diocese* [Docket No. 874].

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August 25, 2023

Roman Catholic Diocese of Buffalo

Invoice: 231402131

Fee Detail

<i>Date of Service</i>	<i>Timekeeper/Fee Earner Name</i>	<i>Hours</i>	<i>Amount</i>
State of New York v. Diocese of Buffalo, et al.			
07/03/23	J D Goetz	0.20	192.00
Review, respond to email from Diocese regarding ESI files for current and former Diocese employees.			
07/10/23	E M Joyce	0.40	480.00
Communicate with T. Geremia regarding prior claim correspondence with insurer and discussions with Blank Rome attorneys regarding update (.20); review same (.20).			
07/11/23	E M Joyce	0.50	600.00
Review prior denial letters and Blank Rome's various response correspondence (.40); communicate, phone call and emails with Blank Rome attorney regarding same and next steps (.10).			
07/12/23	J D Goetz	0.70	672.00
Attend call with Diocese team and T. Geremia to discuss Diocese ESI (.50); follow-up conversation with client regarding status of audit efforts of K. McChesney (.20).			
07/17/23	J D Goetz	0.40	384.00
Review FOIL request for production of additional Diocese documents relating to the Office of the Attorney General investigation (.20); email to Diocese team regarding plan for responding (.10); review additional emails from T. Geremia regarding same (.10).			
07/24/23	T R Geremia	0.80	928.00
Review request from the Office of the Attorney General FOIL officer and contact the Office of the Attorney General office regarding same.			
07/24/23	J D Goetz	0.30	288.00
Review emails regarding deadline for responding to Office of the Attorney General FOIL office regarding request for production of Diocese documents.			
07/27/23	T R Geremia	0.80	928.00
Meet with client regarding disclosure issue in connection with request made to the Office of the Attorney General.			
07/27/23	J D Goetz	0.50	480.00
Attend call with Diocese team, T. Geremia, Bond and Connors teams regarding response to FOIL request for documents produced to the Office of the Attorney General during investigation, confidentiality provisions in Chapter 11 proceeding applicable to same.			
Matter Total		4.60	USD 4,952.00

Fee/Employment Applications

07/13/23	N P Yeary	1.00	620.00
Prepare a monthly fee statement covering June services, communicate internally regarding same.			
07/14/23	C M Gugg	0.20	72.00
Review and electronically file CNO to monthly fee statement.			

JONES DAY

764596

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August 25, 2023

Roman Catholic Diocese of Buffalo

Invoice: 231402131

<i>Date of Service</i>	<i>Timekeeper/Fee Earner Name</i>	<i>Hours</i>	<i>Amount</i>
07/28/23	N P Yeary Prepare monthly fee statement covering June services (.20); correspond with Ernst, Goetz regarding same (.10); correspond with Diocese concerning same (.10).	0.40	248.00
07/31/23	C M Gugg Review and e-file monthly fee statement.	0.20	72.00
07/31/23	N P Yeary Finalize a fee statement covering June services (.20); review and send to Gugg for filing (.20); coordinate service of same with Stretto (.10).	0.50	310.00
Matter Total		2.30	USD 1,322.00

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

In re:

The Diocese of Buffalo, N.Y.

Debtor.

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Case No. 20-10322 (CLB)

Chapter 11

**SUMMARY OF SIXTH INTERIM APPLICATION OF JONES DAY FOR
COMPENSATION FOR SERVICES RENDERED AND REIMBURSEMENT OF
EXPENSES AS SPECIAL COUNSEL TO THE DIOCESE OF BUFFALO, N.Y. FOR THE
PERIOD FEBRUARY 1, 2023 THROUGH JULY 31, 2023**

Name of Applicant:	<u>Jones Day</u>
Authorized to Provide Professional Services to:	<u>The Diocese of Buffalo, N.Y.</u> <u>Debtor and Debtor in Possession</u>
Nature of Employment:	<u>Special Counsel to Debtor</u>
Petition Date:	<u>February 28, 2020</u>
Date of Retention:	<u>Order entered February 23, 2021 [Docket No. 905]</u> <u>Nunc Pro Tunc to December 1, 2020</u>
Period for which Compensation and Reimbursement is Sought:	<u>February 1, 2023 through July 31, 2023</u>
Amount of Compensation Sought as Actual, Reasonable and Necessary (after 20% discount):	<u>\$98,550.00</u>
Amount of Expense Reimbursement Sought as Actual, Reasonable and Necessary:	<u>\$366.14</u>
Time Records:	<u>Attached as Exhibits A-F to the Application</u>
Total Compensation and Expenses Previously Awarded:	<u>\$2,182,861.56</u>

This is an interim application.

This is Jones Day's sixth interim fee application in this case.

Summary of Monthly Fee Statements of Compensation Period

Date Filed	Period Covered	Requested		Approved	
		Fees ¹	Expenses	Fees	Expenses
3/22/2023	2/1/2023 – 2/28/2023	\$17,170.00	\$0.00	TBD	TBD
5/4/2023	3/1/2023 – 3/31/2023	\$50,632.00	\$366.14	TBD	TBD
5/24/2023	4/1/2023 – 4/30/2023	\$13,564.00	\$0.00	TBD	TBD
6/29/2023	5/1/2023 – 5/31/2023	\$5,520.00	\$0.00	TBD	TBD
7/31/2023	6/1/2023 – 6/30/2023	\$5,414.00	\$0.00	TBD	TBD
8/28/2023	7/1/2023 – 7/31/2023	\$6,250.00	\$0.00	TBD	TBD

Total: \$98,550.00 \$366.14

Summary of Prior Fee Applications

Date Filed	Period Covered	Requested		Approved	
		Fees	Expenses	Fees	Expenses
5/6/2021	12/1/2020 – 3/31/2021	\$424,988.00	\$713.98	\$412,280.00	\$713.98
11/5/2021	4/1/2021 – 8/31/2021	\$394,394.00	\$2,154.37	\$384,394.00	\$2,154.37
4/22/2022	9/1/2021 – 1/31/2022	\$499,869.00	\$8,251.23	\$495,869.00	\$8,251.23
11/2/2022	2/1/2022 – 7/31/2022	\$539,636.00	\$7,525.25	\$519,636.00	\$7,525.25
4/21/2023	8/1/2022 – 1/31/2023	\$365,352.00	\$3,797.73	\$348,240.00	\$3,797.73

Total: \$2,224,239.00 \$22,442.56 \$2,160,419.00 \$22,442.56

Summary of Fees by Timekeeper

<u>Name</u>	<u>Year of Bar Admission</u>	<u>Billing Rate 2023</u>	<u>Hours Billed</u>	<u>Total Fees</u>
<i>PARTNER</i>				
T R GEREMIA	1999	\$1,160.00	35.60	\$41,296.00
J D GOETZ	1996	\$960.00	43.90	\$42,144.00
E M JOYCE	1987	\$1,200.00	0.90	\$1,080.00
Total Partner:			80.40	\$84,520.00
<i>ASSOCIATE</i>				
C T NEUMANN	2020	\$460.00	7.10	\$3,266.00
N P YEARY	2020	\$620.00	16.20	\$10,044.00
Total Associate:			23.30	\$13,310.00
<i>PARALEGAL</i>				
C M GUGG	N/A	\$300.00	2.40	720.00
Total Paralegal:			2.40	720.00

TOTAL: 106.10 \$98,550.00

The blended hourly rate for all services reflected in this Application was \$928.84.

¹ Amounts requested reflect write downs made after the Monthly Fee Statements were filed.